

Remarks/Arguments

Claims 1-7 have been amended.

The Examiner has rejected applicant's claims 1-7 under 35 USC § 102(e) as anticipated by the Saito Patent Application Publication (U.S Patent Application 2002/0073035). With respect to applicant's claims, as amended, this rejection is respectfully traversed.

Applicant's claims have been amended to better define applicant's invention. In particular, applicant's independent claims 1 and 6 are directed to an apparatus and method characterized by a decision unit for or a decision step of deciding which of data processing apparatus is to effect a charge process and by a control unit for or a method of controlling one of the data processing apparatuses decided by said decision unit to effect the charge process for both of the data processing apparatuses. Applicant' independent claims 5 and 7, in turn, are characterized by effecting a predetermined process with respect to another data processing apparatus and by informing the another data processing apparatus of the information whether the data processing apparatus effect a charge process or not, so that the another data processing apparatus decide which of the data processing apparatuses is to effect the charge process, and one of the data processing apparatuses effect the charge process for both of the data processing apparatuses.

With such constructions, the problem of a predetermined charge processing being executed by a plurality of data processing apparatuses is avoided. Such construtions are not taught or suggested by the cited Saito Patent Application Publication.

More particularly, the Saito Patent Application Publication discloses a system in which a predetermined computer connected to a network is assigned the function of a charge

integration unit and it executes all charge processes for the apparatuses connected to the network. In the Saito Patent Application Publication another device besides the computer does not function to execute a charge processing. That is, the Saito Patent Application Publication fails to teach deciding which data processing apparatus of a plurality of data processing apparatuses is to effect a charge processing and controlling the data processing apparatuses to effect the charge.

Therefore, Saito Patent Application Publication fails to teach or suggest a decision unit for or a decision step of deciding which of data processing apparatus is to effect a charge process or a control unit for or a method of controlling one of the data processing apparatuses decided by said decision unit to effect the charge process for both of the data processing apparatuses. Moreover, the Saito Patent Application Publication does not teach or suggest effecting a predetermined process with respect to another data processing apparatus and informing the another data processing apparatus of the information whether the data processing apparatus effect a charge process or not, so that the another data processing apparatus decide which of the data processing apparatuses is to effect the charge process, and one of the data processing apparatuses effect the charge process for both of the data processing apparatuses.

Applicant's independent claims 1 and 6 and 5 and 7, and their respective dependent claims, all of which recite respective of such features thus patentably distinguish over the Saito Patent Application Publication.

In view of the above, it is submitted that applicant's claims, as amended, patentably distinguish over the cited art of record. Accordingly reconsideration of the claims is respectfully requested.

Dated: October 20, 2003

Respectfully submitted,

*John J. Torrente*  
John J. Torrente  
Reg. No. 26359  
An Attorney of Record

ROBIN, BLECKER & DALEY  
330 Madison Avenue  
New York, New York 10017

**RECEIVED**  
**CENTRAL FAX CENTER**

OCT 21 2003

**OFFICIAL**